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5 Attorneys for the Arizona Medical Board

6
7 **BEFORE THE ARIZONA MEDICAL BOARD**

8 In the Matter of

9 **GEORGE E. STAVROS, M.D.**

10 Holder of License No. 4408
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-05-0620A

**CONSENT AGREEMENT FOR
PROBATION**

11 **CONSENT AGREEMENT**

12 By mutual agreement and understanding between the Arizona Medical Board
13 ("Board") and George E. Stavros, M.D. ("Respondent"), the parties agree to the disposition
14 of this matter.

15 1. Respondent acknowledges that he has read and understands this Consent
16 Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Consent
17 Agreement"). Respondent acknowledges that he understands that he has the right to
18 consult with legal counsel regarding this matter and that he has done so.

19 2. Respondent understands that by entering into this Consent Agreement for
20 the issuance of the foregoing Order, he voluntarily relinquishes any rights to a hearing or
21 judicial review in state or federal court on the matters alleged or to challenge this Consent
22 Agreement in its entirety as issued by the Board, and waives any other cause of action
23 related thereto or arising from this Consent Agreement.

24 3. Respondent acknowledges and understands that this Consent Agreement is
25 not effective until approved by the Board and signed by its Executive Director.

1 4. All admissions made by Respondent are solely for final disposition of this
2 matter and any subsequent related administrative proceedings or civil litigation involving
3 the Board and Respondent. Therefore, said admissions by Respondent are not intended
4 or made for any other use, such as in the context of another state or federal government
5 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
6 any other state or federal court.

7 5. Respondent acknowledges and agrees that although this Consent
8 Agreement has not yet been accepted by the Board and signed by the Executive Director,
9 Respondent may not make any modifications to this document. Upon signing this Consent
10 Agreement and returning this document (or a copy thereof) to the Board's Executive
11 Director, Respondent may not revoke acceptance of the Consent Agreement. Any
12 modifications to this Consent Agreement are ineffective and void unless mutually approved
13 by the Parties.

14 6. Respondent understands and agrees that if the Board does not adopt this
15 Consent Agreement, he will not assert a defense that the Board's consideration of this
16 Consent Agreement constitutes bias, prejudice, prejudgment or other similar defense.

17 7. Respondent further understands that this Consent Agreement and Order,
18 once approved and signed, shall constitute a public record document that may be publicly
19 disseminated as a formal action of the Board and will be reported to the National
20 Practitioner's Data Bank and will be reported on the Arizona Medical Board's website.

21 8. If any part of the Consent Agreement is later declared void or otherwise
22 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force
23 and effect.

24 
25 George E. Stavros M.D.
Respondent

DATED: 2/4/08

1 

2 Charles E. Buri, Esq.
3 Attorney for Respondent

DATED: February 4, 2008

4 **FINDINGS OF FACT**

5 1. The Board is the duly constituted authority for the regulation and control of
6 the practice of allopathic medicine in the State of Arizona.

7 2. Respondent is the holder of license number 4409 for the practice of
8 allopathic medicine in the State of Arizona.

9 3. In June, 1991, Respondent received a Decree of Censure from the Board for
10 failure to maintain adequate medical records in his family practice medical practice.

11 4. The Board initiated Case No. MD-01-0354 in response to a notice received
12 from PacifiCare of Arizona, Inc. ("PacifiCare") on May 14, 2001, advising the Board that
13 Respondent had been removed from PacifiCare's list of approved providers because of his
14 failure to improve medical recordkeeping practices and document supervision of the
15 physician in his employ.

16 5. On June 12, 2002, the Board staff obtained from Respondent's office copies
17 of fourteen (14) patient charts, three (3) of which had been used as the basis for
18 PacifiCare's action.

19 6. The Board staff reviewed the fourteen (14) patient charts and found
20 inadequate documentation.

21 7. On October 25, 2002, Respondent completed twenty (20) hours of
22 Continuing Medical Education ("CME") in recordkeeping at the Physician Assessment and
23 Clinical Education Program ("PACE").

24 8. On January 22, 2004, Respondent entered into a Consent Agreement for
25 Decree of Censure and Probation with the Board (the "2004 Consent Agreement"), as a
final disposition of case number MD-01-0354. The 2004 Consent Agreement stemmed

1 from Dr. Stavros' failure to maintain adequate medical records and documentation on
2 fourteen (14) patients he had seen in his family practice medical practice.

3 9. Pursuant to the terms of the 2004 Consent Agreement, Respondent was
4 placed on probation for two (2) years for the purpose of monitoring the adequacy of
5 Respondent's medical records.

6 10. Respondent ceased conducting a family practice on February 14, 2001 and
7 currently limits his practice to the work of a qualified aviation medical examiner and as a
8 part-time medical director at a Methadone Treatment Program (a "Methadone Clinic").

9 11. In May of 2005, the Board conducted a random chart review of a number of
10 Respondent's patients who were then being treated at two Methadone Clinics where
11 Respondent worked on a part-time basis. The random chart review revealed that nine (9)
12 of Respondent's patients' medical records were insufficient and below the standard of
13 care. This was the first time Respondent's patients' charts maintained at a Methadone
14 Clinic where Respondent worked had been reviewed by the Board.

15 12. The Methadone Clinics where Respondent has worked and whose medical
16 charts were reviewed by the Board in the spring of 2005 have received reports from CARF
17 International, an accrediting agency for such Methadone Clinics, that their medical records
18 satisfied all accreditation standards applicable to Methadone Clinics.

19 13. The Board has not reviewed any medical charts maintained by the
20 Respondent relating to treatment rendered at the Methadone Clinics where Respondent
21 has worked, or any of the records relating to aviation exams that Respondent has
22 performed, since Respondent was notified in 2005 of the deficiencies found in the charts
23 which were reviewed during the spring of 2005.

24 14. Respondent's probation resulting from the 2004 Consent Agreement was
25 terminated in January of 2006.

1 **CONCLUSIONS OF LAW**

2 1. The Board possesses jurisdiction over the subject matter and over
3 Respondent pursuant to A.R.S. § 32-1401 *et seq.*

4 2. The conduct and circumstances described above constitute unprofessional
5 conduct pursuant to A.R.S. § 32-1401(25)(e) (failing or refusing to maintain adequate
6 records on a patient.

7 3. In determining the appropriate disciplinary action, the Board shall consider all
8 previous non-disciplinary and disciplinary actions against a licensee. A.R.S. § 32-1451(U).

9 **ORDER**

10 IT IS HEREBY ORDERED THAT:

11 1. Respondent is hereby placed on Probation for two years with the following
12 terms and conditions:

13 a. Respondent shall be subject to random chart reviews by Board Staff
14 for all patients in all settings in which Respondent conducts physical examinations
15 or provides direct patient care.

16 b. Respondent shall provide to Board staff annual documentation of his
17 successful compliance with Federal Aviation Administration ("FAA") medical records
18 requirement.

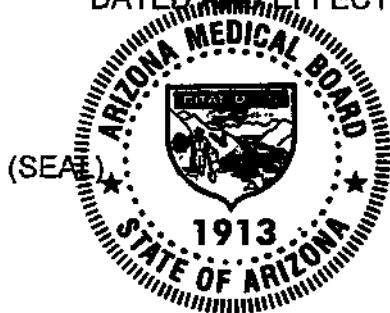
19 c. Upon request, Respondent shall provide to Board Staff a copy of all
20 original appointment logs, calendars and FAA Physical Schedules for all places
21 where Respondent provides direct patient care or conducts physical examinations.

22
23 d. Respondent shall notify Board Staff within thirty (30) calendar days of
24 any change or expansion in the scope of Respondent's practice or specialty.
25

2. Respondent shall obey all federal, state and local laws, all rules governing the practice of medicine in Arizona, and remain in full compliance with any court ordered criminal probations, payments and other orders.

3. In the event Respondent should leave Arizona to reside or practice outside the State or for any reason should Respondent stop practicing medicine in Arizona, Respondent shall notify the Executive Director in writing within ten (10) days of departure and return or the dates of non-practice with Arizona. Non-practice is defined as any period of time exceeding thirty (30) days during which Respondent is not engaging in the practice of medicine. Periods of temporary or permanent residence or practice outside Arizona or of non-practice within Arizona, will not apply to the reduction of the probationary period.

DATED AND EFFECTIVE this 7TH day of FEB, 2007.



ARIZONA MEDICAL BOARD

By [Signature]
Lisa S. Wynn, Executive Director

ORIGINAL of the foregoing filed
this 7TH day of February 2008 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed
this 7TH day of February 2008 to:

George E. Stavros, M.D.
Address of Record

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7 By 